

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Major Amendment to Final Master Plan for ETOR PUD
(Ronald Henson, applicant)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Matt West **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 06/02/04 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the requested major amendment to a PUD Final Master Plan for a 7-acre site located north and south of Sun Drive and 250' west of Greenwood Blvd., per the attached Addendum #2 to the Developer's Commitment Agreement (Ron Henson, applicant); or
2. Recommend DENIAL of the requested major revision to a PUD Final Master Plan for a 7-acre site located north and south of Sun Drive and 250' west of Greenwood Blvd.; or
3. CONTINUE the item to a time and date certain.

District 4 – Henley

Jeff Hopper-Senior Planner

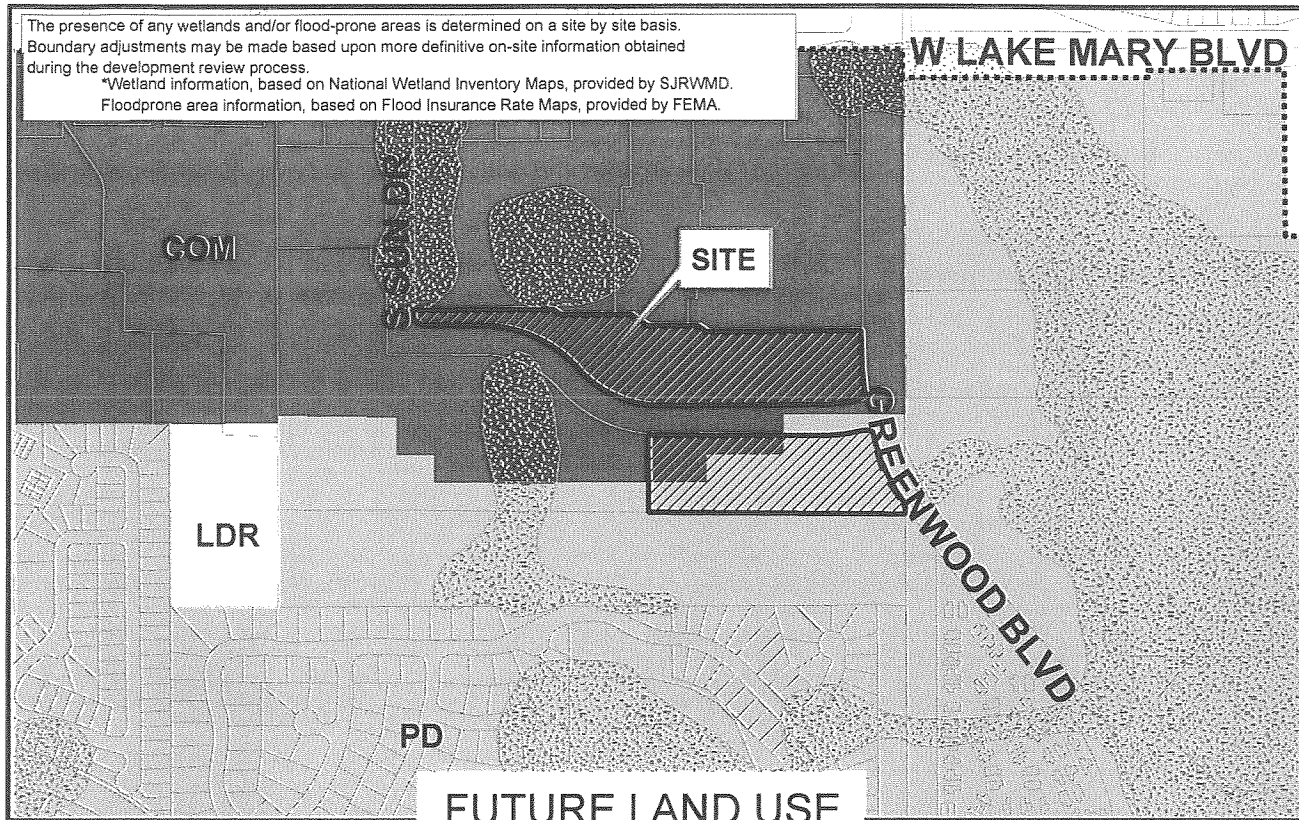
BACKGROUND:

The applicant is proposing a major change to the Final Master Plan for ETOR PUD, located on approximately 7 acres in the Commercial and Planned Development (PD) land use designations. The subject properties are portions of Tract "C" as shown on the ETOR PUD Final Master Plan, an area currently designated for office use. The proposed change would place a neighborhood retail facility on the north side of Sun Drive, and 39 townhouse units on the south side. The proposed uses are similar to existing uses in other portions of the PUD, which occupies 90 acres at the southwest corner of Lake Mary Blvd. and Greenwood Blvd.

STAFF RECOMMENDATIONS:

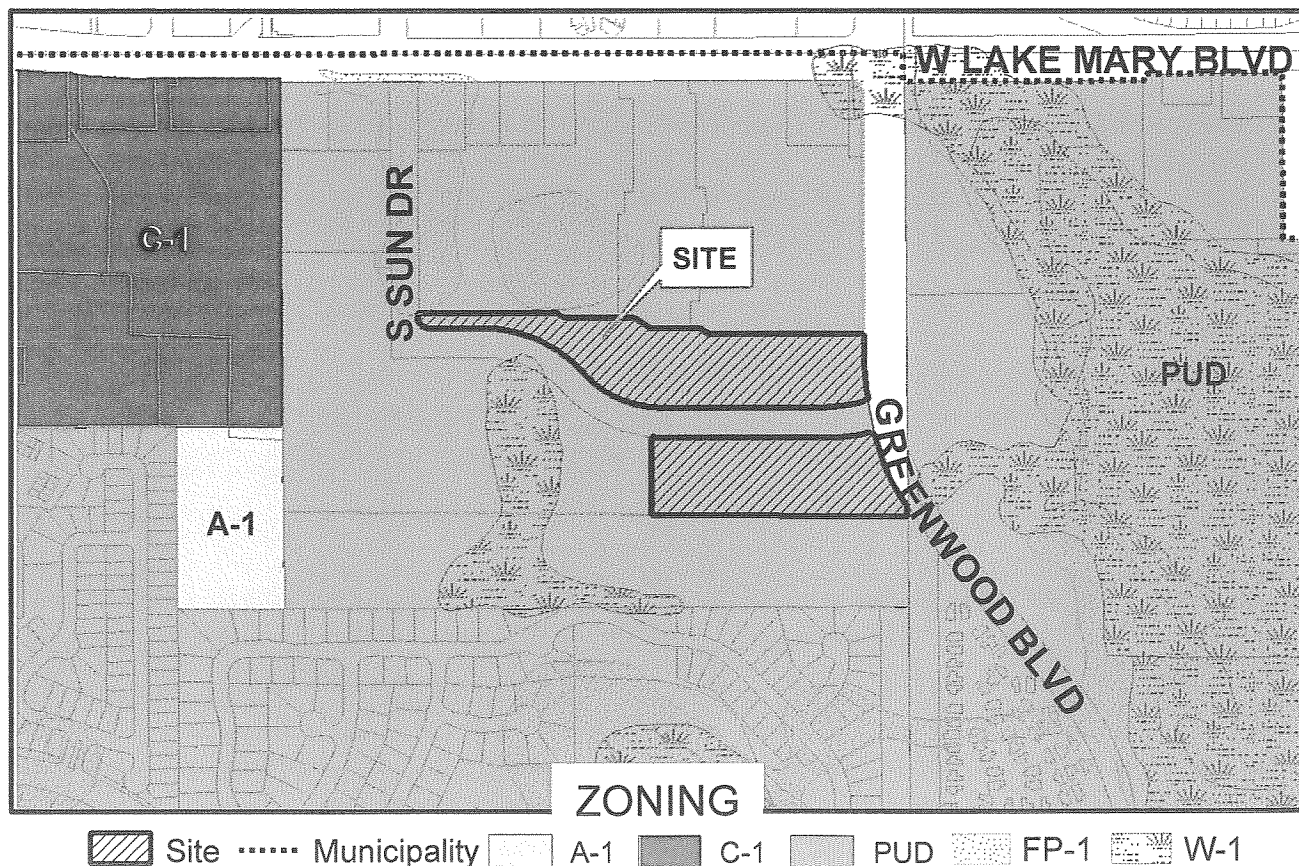
Staff recommends APPROVAL of the request subject to conditions listed in the attached staff report and Addendum #2 to the Developer's Commitment Agreement.

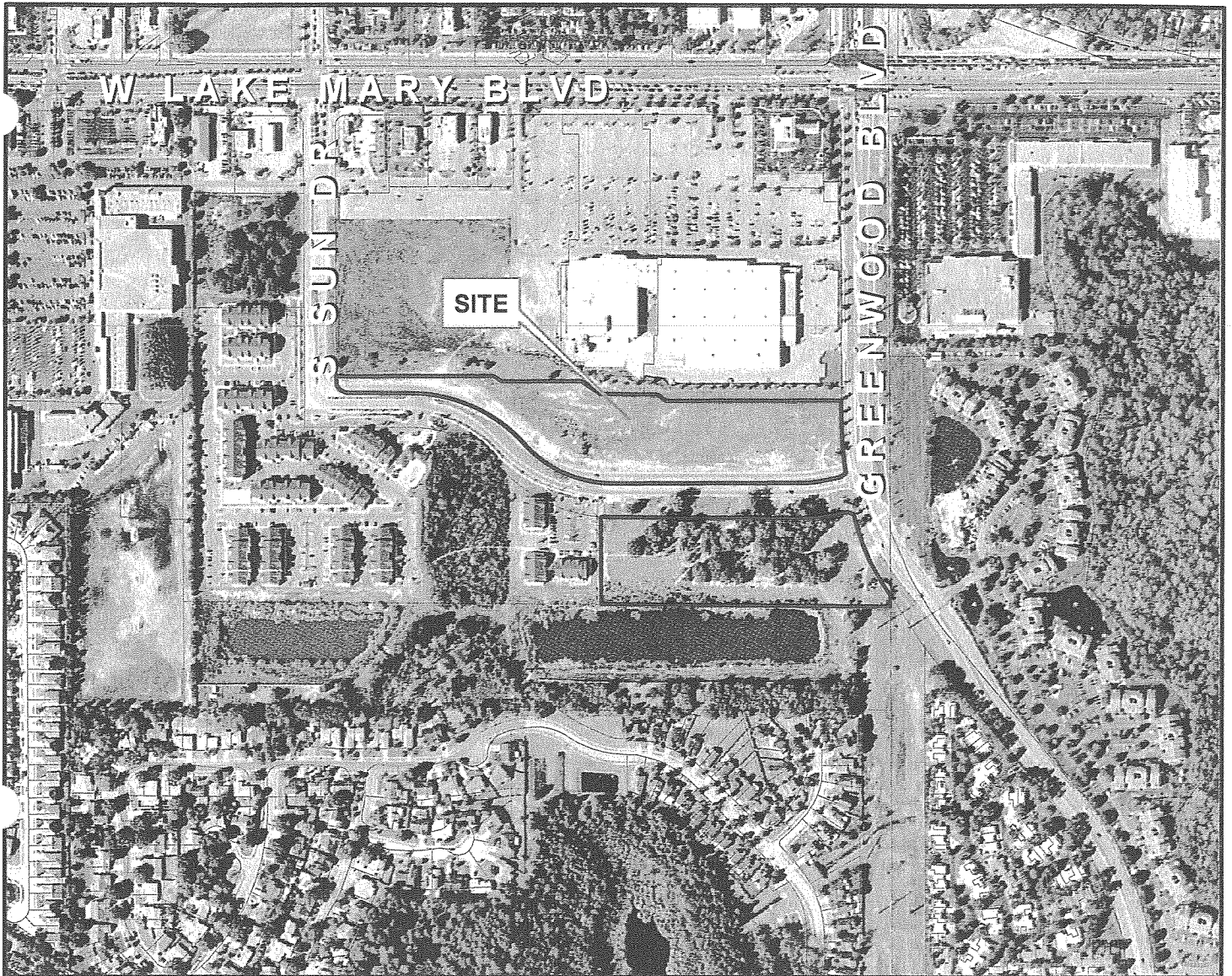
Reviewed by:
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. <u>Z2004-021</u>



Applicant: Design Service Group, Inc.
 Physical STR: 18-20-30-516-0000-0030 & 0040
 Gross Acres: +/- 12 BCC District: 4
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-021	PUD	PUD





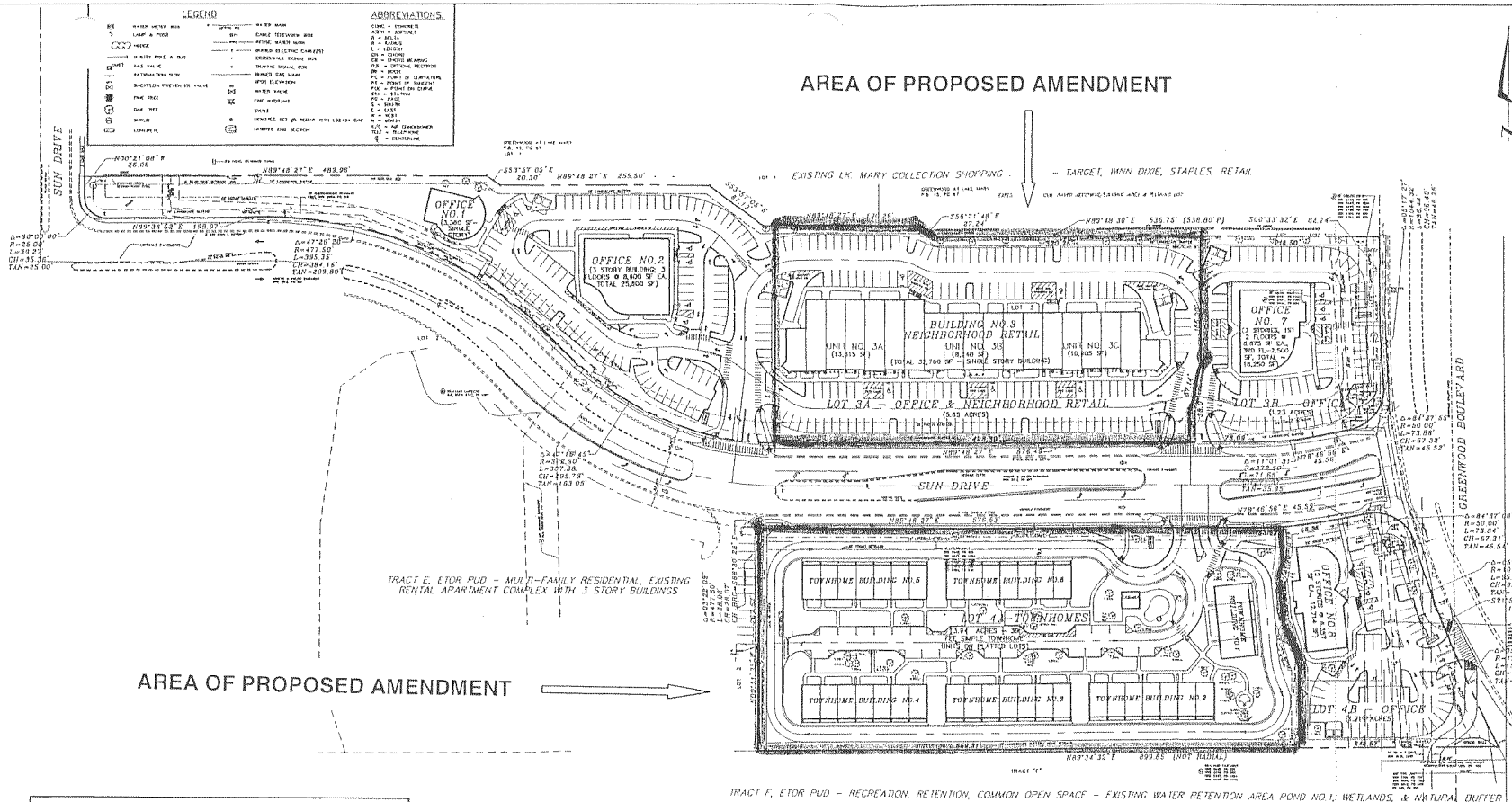
Rezone No: Z2004-021
 From: PUD To: PUD

☐ Parcel
☒ Subject Property



February 1999 Color Aerials

AREA OF PROPOSED AMENDMENT



AREA OF PROPOSED AMENDMENT

SITE DATA

STATEMENT OF INTENT:		11. LOT 4:		LOT 4A		LOT 4B		12. BUILDING SETBACKS:		13. STORMWATER MANAGEMENT FOR THIS PROJECT IS PROVIDED OFF-SITE WITHIN ETOR PUD'S PREVIOUSLY CONSTRUCTED "MASTER" DRAINAGE AND STORMWATER MANAGEMENT FACILITIES, LOCATED ON TRACT "F". THE ETOR PUD MASTER STORMWATER FACILITIES WERE AS PREVIOUSLY PERMITTED BY SEMINOLE COUNTY AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT. THE ETOR PUD MASTER DRAINAGE PLAN ASSIGNED 10% MAXIMUM IMPERVIOUS AREA COVERAGE FOR THE PROJECT SITE, LOTS 3 AND 4.			
THE APPLICANT DESIRES TO SUBDIVIDE LOTS 3 AND 4, ETOR PUD, AND DEVELOP THEM FOR MULTIPLE USES. THESE USES INCLUDE SEVERAL PROFESSIONAL OFFICE BUILDINGS AND A "NEIGHBORHOOD COMMERCIAL" BUILDING INTENDED FOR LEASING TO MULTIPLE TENANTS AND A SMALL MULTI-FAMILY RESIDENTIAL TOWNHOME DEVELOPMENT OFFERING FIVE SINGLE TOWNHOME CONSTRUCTION ON PLATTED LOTS. APPLICANT PROPOSES TO SUBDIVIDE EACH LOT INTO TWO PARCELS, LOTS 3A, 3B, 4A, AND 4B WITH LOT 4A, THE TOWNHOME SITE, BEING FURTHER SUBDIVIDED FOR TOWNHOME LOTS. THE APPLICANT WILL CONSTRUCT ALL INFRASTRUCTURE IMPROVEMENTS SUCH AS WATER, SEWER, DRAINAGE, MASS GRADING, AND DRIVEWAY ACCESS FACILITIES IN THE INITIAL PHASE TO ALLOW INDEPENDENT DEVELOPMENT AND PHASED CONSTRUCTION OF EACH NEW LOT. THE DEVELOPMENT WILL CONTAIN A VARIETY OF BUILDING TYPES AND SIZES WITH HEIGHTS RANGING FROM ONE TO THREE STORIES. BUILDING AND TOWNHOME ARCHITECTURAL FEATURES HAVE BEEN DESIGNED TO FOLLOW A COMMON THEME AND COMPLIMENT EACH OTHER. THE NEW LOTS WILL SHARE SOME COMMON FACILITIES SUCH AS JOINT-USE DRIVEWAYS, CROSS-ACCESS AND PARKING FACILITIES, AND MUTUAL DRAINAGE UTILITY EASEMENTS. LOTS 3A, 3B, AND 4B WILL BE OWNER MANAGED AND MAINTAINED. COMMON AREA WITHIN LOT 4A, THE TOWNHOME PARCEL, WILL BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION.		A. DESIGNATED PUD USE		OFFICE		OFFICE		A. COMMERCIAL AND OFFICE		14. FOR THE SEMINOLE COUNTY SC 8015 SURVEY THE ON-SITE SOILS ARE TAVARES FINE SANDS, 0 TO 1% SLOPE, HYDROLOGIC GROUP A.			
		B. PROPOSED USES		FIVE SINGLE TOWNHOME RESIDENTIAL (R-3A)		PROFESSIONAL OFFICE (PO)		FRONT - GREENWOOD BOULEVARD FRONT - SUN DRIVE SIDE - ADJACENT RESIDENTIAL REAR		15'		10'	10'
6. SITE AREAS:		LOT 3A		5.69 ACRES		1.23 ACRES		B. RESIDENTIAL		16'		10'	10'
		LOT 3B		1.14 ACRES		1.11 ACRES		FRONT - GREENWOOD BOULEVARD & SUN DRIVE SINGLE STORY DRIVE TWO STORY THREE STORY		15'		10'	10'
		LOT 4A		1.14 ACRES		1.11 ACRES		SIDE:		15'		10'	10'
		LOT 4B		1.11 ACRES		1.11 ACRES		SINGLE STORY TWO STORY THREE STORY		15'		10'	10'
		TOTAL SITE AREA:		12.17 AC ±				REAR		10'		10'	10'
7. BUILDING AREAS AND PARKING:								REAR - ADJACENT TRACT F		10'		10'	10'
8. SEE CITY GEOMETRY PLANS, SHEETS 4 AND 5, FOR DETAILED INFORMATION ON EACH LOT.													
9. LAND USE BREAKDOWN (ALL LOTS COMBINED):													
		USE		AREA		% OF SITE		B. LANDSCAPE BUFFERS:					
1. EXISTING ZONING: ETOR PUD		A. BUILDING AREA (1 ST FLOOR ONLY)		1.13 ACRES		18.3 %		A. GREENWOOD BOULEVARD		15'		10'	10'
3. LAND USE:		B. PAVEMENT, SIDEWALK, & MISCELLANEOUS IMPERVIOUS		3.71 ACRES		47.4 %		B. SUN DRIVE		10'		10'	10'
4. LOT 3:		LOT 3A		LOT 3B				C. INTERIOR		10'		10'	10'
		A. DESIGNATED PUD USE		OFFICE		OFFICE		D. INTERIOR - ADJACENT TRACT F		10'		10'	10'
		B. PROPOSED USES		RESTRICTED NEIGHBORHOOD COMMERCIAL (RNC)		PROFESSIONAL OFFICE (PO)		E. UTILITIES:					
								A. WATER AND SEWER		10'		10'	10'
								B. OTHERS		10'		10'	10'
										SEMINOLE COUNTY SEE COVER SHEET			

DESIGNER FOR:

SUNCOR PROPERTIES, INC.
 550 N. PALMETTO AVENUE
 SANFORD, FL 32771
 PHONE: (407) 688-7644
 FAX: (407) 688-7920

OVERALL DEVELOPMENT PLAN

REGAL POINTE PARK

LOTS 3 & 4, ETOR PUD
 SEMINOLE COUNTY, FLORIDA

DESIGNED BY:

Design Service Group, Inc.
 Consulting Engineering - Environmental Planning
 3622 SOUTH GRANT STREET
 LONGWOOD, FLORIDA 32750
 Phone: (407) 331-3773 Fax: (407) 331-3774 Email: dsgrainc@comcast.net

DATE: DECEMBER, 2003

SCALE: 1" = 60'

SHEET: 2 OF 4

ETOR PUD AMENDMENT

REQUEST INFORMATION		
APPLICANT	Ron Henson/Design Services Group	
PROPERTY OWNER	ROLIHO INC	
REQUEST	Major Modification to PUD Final Master Plan	
HEARING DATE (S)	P&Z: June 2, 2004	BCC: June 8, 2004
PARCEL NUMBERS	18-20-30-516-0000-0030 18-20-30-516-0000-0040	
LOCATION	North and south sides of Sun Drive, 250 feet west of Greenwood Boulevard	
FUTURE LAND USE	Commercial and Planned Development (PD)	
FILE NUMBER	Z2004-021	
COMMISSION DISTRICT	4 – Henley	

OVERVIEW

Zoning Request: The applicant is proposing a major change to the Final Master Plan for ETOR PUD, located on 90 acres in the Commercial and Planned Development (PD) land use designations at the southwest corner of Lake Mary Blvd. and Greenwood Blvd. The subject properties are portions of Tract “C” as shown on the Final Master Plan, an area currently designated for office use. The proposed change would apply to properties on both sides of Sun Drive, placing a neighborhood retail facility on the north side and 39 townhouse units on the south side.

The 3.0-acre commercial site would be limited to CN (Neighborhood Commercial) uses, with 32,760 square feet of floor area. Proposed residential on 3.94 acres on the opposite side of Sun Drive would consist of individually owned townhouses on platted lots at a gross density of 9.9 units per acre. The uses are similar in intensity to the office uses already permitted. The applicant has provided calculations indicating no substantial change in traffic generation as a result of the proposed amendment.

The proposed new uses are similar to existing uses in other portions of the PUD, which occupies 90 acres. The existing Regal Point Apartments site lies to the west of the subject property, while Target and Winn Dixie adjoin to the north. To the south are a retention/open space parcel and natural area, which together form a 400-foot buffer adjacent to the Reserve at the Crossing Subdivision. Since all adjoining parcels are included within the PUD, compatibility with directly adjacent land uses is not a major concern.

Existing Land Uses: The existing zoning designations and land uses are as follows:

	Existing Zoning	Future Land Use	Existing Use
North	PUD	Commercial	retail commercial
South	PUD	Planned Development (PD)	retention/open space

	Existing Zoning	Future Land Use	Existing Use
East	PUD	Planned Development (PD)	vacant
West	PUD	Commercial / PD	multi-family

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed amendment is consistent with the adopted future land use designations assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan.
3. Water and sewer service will be provided by Seminole County.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with surrounding development: Currently, the surrounding properties have Commercial and Planned Development (PD) future land use designations. The proposed amendment would locate neighborhood retail uses on the north side of Sun Drive and townhouse development on the south side, creating a transition between general commercial uses to the north and single family development to the south.

STAFF RECOMMENDATIONS:

Staff recommends APPROVAL of the requested modifications to the Final Master Plan, subject to conditions in the attached Addendum #2 to the Developer's Commitment Agreement. These conditions include the following:

- Residential density within the affected area of Tract C shall not exceed 12.4 units per net buildable acre and a gross density of 12.4 units per acre.
- The townhouse development shall comply with the Land Development Code requirement of 25% usable common open space.
- The neighborhood commercial development shall be limited to uses listed as permitted in the CN (Neighborhood Commercial) zoning classification.
- All buildings shall be limited to 35 feet in height.

ETOR PROPERTIES

Planned Unit Development Commitments, Classifications and District Description

ADDENDUM #2

On June 8, 2004, the Board of County Commissioners of Seminole County issued this Amendment to the "ETOR PUD Final Master Plan Developer's Commitment Agreement" (the "PUD"):

II. STATEMENT OF BASIC FACTS

Commercial Area	34.99 acres
Office Area	5.47 acres
Residential Area	21.02 acres
Mixed Office and Commercial Area	2.59 acres
Retention, Recreation & Open Space	19.81 acres
Right-of-Way	6.32 acres
Total Area	90.20 acres
Residential Density (Tract C)	9.9 D.U.A. (gross density)
	12.4 D.U.A. (net density)
Residential Density (Tract E)	17.6 D.U.A.

III. TRACT SUMMARY

TRACT DESIGNATION	LAND USE	AREA	% OF SITE
A	Commercial	2.08 acres	2%
B	Office, Commercial*	2.59 acres	3 %
C	Office	5.47 acres	6 %
C	Neighborhood Commercial	3.00 acres	3 %
C	Residential – 39 units	3.94 acres	4%
D	Commercial	29.91 acres	33%
E	Residential – 300 units	17.08 acres	19%
F	Recreation, Open Space, Retention	19.81 acres	22%
R.O.W.	Public Streets	6.32 acres	7%
	TOTAL	90.20 acres	100%

* The Owner shall provide a six-foot high fence along the south property line which shall be constructed of split-face block. The Owner shall also provide a row of canopy trees along the south property line.

IV. SPECIFIC USES

Residential (Tract E): Will comply with Seminole County R-4 zoning plus an additional use permitted will be day care facilities.

Residential (Tract C): Shall be limited to individually-owned townhouses on fee-simple lots, together with recreational and open space amenities consistent with Seminole County usable common open space requirements.

Office: no change

Commercial: no change

Neighborhood Commercial (Tract C):

Shall be limited to uses listed as permitted in the CN zoning classification per the Seminole County Land Development Code.

V. OPEN SPACE

Tract "F" Recreation/Retention/Open Space 19.81 acres
Use of area is limited to the residents of ETOR Properties and their guests.

20% of Tract "E" (17.08 Acres) 3.42 acres

Use of area is limited to the residents of Tract "E".

25% of the residential portion of Tract "C" (3.94 acres, to be evaluated at Final Engineering) 0.99 acre

TOTAL OPEN SPACE 24.22 acres

VI. BUILDING RESTRICTIONS

Residential (Tract "E"): Building Height: 35 feet maximum
 Number of Stories: one, two and three
 Limited to two story first tier adjacent to Tract "F".

Residential (Tract "C"): Building Height: 35 feet maximum
 Number of Stories: 2-story maximum
 Minimum Lot Size: 900 square feet
 Minimum Lot Width: 20 feet
 No accessory structures shall be permitted.

Neighborhood Commercial (Tract "C"):
 Building Height: 35 feet maximum

BUILDING SETBACKS

Lake Mary Blvd: no change

Sun Drive:	no change
Greenwood Blvd.	no change
Commercial Use:	no change
Office Use:	no change
Residential (Tract "E"):	no change
Residential (Tract "C"):	Min. setback from site boundary: <u>35 feet</u>
	Min. distance between buildings: <u>20 feet</u>
Neighborhood Commercial (Tract "C"):	
	Front: <u>25 feet</u>
	Side: <u>0 feet</u>
	Rear: <u>10 feet</u>

VII. VEHICULAR AND PEDESTRIAN TRAFFIC

- f. The Developer shall install an eastbound left turn lane on Sun Drive at the proposed west entrance to the office and neighborhood commercial site on the north portion of Tract C.
- g. The Developer shall install an eastbound left turn lane on Sun Drive at Greenwood Boulevard.

X. OTHER COMMITMENTS

- F. ~~All access to the ETOR property will be from Lake Mary Boulevard or Greenwood Boulevard.~~

Done and Ordered this 8th day of June, 2004.

By: _____
Daryl G. McLain
Chairman
Seminole County Board of County Commissioners

Attest:

Maryanne Morse
Clerk to the Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the Owner, Roliho Inc., Robert Horian, President, on behalf of itself, its agents, successors, assigns and transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this second addendum to the PUD.

WITNESSES:

OWNER: Roliho Inc.

Witness (Sign and print name)

By: Robert Horian
President

Witness (Sign and print name)

Acknowledgement

STATE OF }
COUNTY OF }

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by Robert Horian, the President of Roliho Inc., who is personally known to me or who has produced his Driver's License as identification and did take an oath.

Notary Public
Print Name:
My Commission expires:

ETOR PROPERTIES
PLANNED UNIT DEVELOPMENT
COMMITMENTS, CLASSIFICATIONS AND DISTRICT DESCRIPTION
APPROVED BY THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

I. LEGAL DESCRIPTION

From the East 1/4 Corner of Section 18, Township 20 South, Range 30 East, Seminole County, Florida, run North 00°34'14" West, along the East line of the Northeast 1/4 of said Section 18, a distance of 663.57 feet to the South line of the North 3/4 of the Northeast 1/4 of said Section 18, for a POINT OF BEGINNING, thence continue North 00°34'14" West, 382.24 feet to a point on a curve thence run Northwesterly along said curve concave Northeasterly having a radius of 1540.00 feet, a central angle of 06°39'34", a chord bearing of North 25°11'40" West, for an arc distance of 178.99 feet, thence run North 21°51'53" West, 11.46 feet, thence run Northwesterly along a curve concave Easterly having a radius of 1044.32 feet, a central angle of 21°17'40", a chord bearing of North 11°13'03" West, for an arc distance of 388.13 feet run North 00°34'13" West, 967.25 feet, thence run Northwesterly along a curve concave Southwesterly having a radius of 50.00 feet, a central angle of 89°37'27", a chord bearing of North 45°22'57" West, for an arc distance of 78.21 feet to a point on the South Right-of-Way line of Lake Mary Blvd., said South Right-of-Way being 40.00 feet South and parallel with the North line of the Northeast 1/4 of said Section 18, thence run South 89°48'19" West, along said Right-of-Way line 1949.36 feet to the East line of the West 389.498 feet of said Northeast 1/4 of Section 18, thence run South 00°21'16" East, along said East line 1959.52 feet to the South line of the North 3/4 of said Northeast 1/4, same being the North line of GREENWOOD LAKES UNIT 2, according to the Plat thereof as recorded in Plat Book 22, Pages 2 and 3, of the Public Records of Seminole County, Florida, thence run South 89°34'16" West, along said South line of the North 3/4 a distance of 770.81 feet to the Northeast corner of Lot 17, GREENWOOD LAKES UNIT 2 FIRST ADDITION, according to the Plat thereof as recorded in Plat Book 23, Page 52, said Public Records of Seminole County, Florida, thence run South 18°30'27" West, along the Easterly line of said Lot 17, a distance of 102.83 feet (Plat distance of 103.69 feet) to the North line of MORNING GLORY DRIVE as shown on said Plat of GREENWOOD LAKES UNIT 2 FIRST ADDITION, thence run Northeasterly along MORNING GLORY DRIVE and a curve concave Northwesterly having a radius of 166.82 feet, a central angle of 11°18'48", a chord bearing of North 51°16'56" East, for an arc distance of 32.94 feet to a point of reverse curve, thence run along a curve concave Southeasterly having a radius of 275.00 feet, a central angle of 44°00'00", a chord bearing of North 67°34'16" East, for an arc distance of 211.18 feet to the Northeast corner of said Plat of GREENWOOD LAKES UNIT 2 FIRST ADDITION, said Northeast corner being on the South line of the North 3/4 of said Northeast 1/4, thence run North 89°34'16" West, 1136.58 feet to the Point of Beginning. Containing 90.20 acres. Less the additional right-of-way for Lake Mary Boulevard.

II. STATEMENT OF BASIC FACTS

Commercial Area	31.99 Acres
Office Area	15.00 Acres
Residential Area	17.08 Acres
Retention, Recreation & Open Space	19.81 Acres
Right-of-Way	6.32 Acres
Total Area	90.20 Acres
Residential Density	17.6 D.U.A.

III. TRACT SUMMARY

<u>TRACT DESIGNATION</u>	<u>LAND USE</u>	<u>AREA</u>	<u>% OF SITE</u>
A	Commercial	2.08 Acres	2%
B	Office	5.44 Acres	6%
C	Office	9.56 Acres	11%
D	Commercial	29.91 Acres	33%
E	Residential-300 Units	17.08 Acres	19%
F	Recreation/Open Space Retention	19.81 Acres	22%
R.O.W.	Public Street	<u>6.32 Acres</u>	<u>7%</u>
	TOTAL	90.20 Acres	100%

IV. SPECIFIC USES

Residential: Will comply with Seminole County R-4 zoning plus an additional use permitted will be day care facilities.

Office: Will comply with Seminole County OP zoning.

Commercial: Will comply with Seminole County C-2 zoning excluding the following permitted uses: hotels and motels, marine sales and service, mobile home and recreational vehicle sales, outdoor advertising signs, parking garages, automobile sales with no repair facilities. And excluding the following conditional uses: drive-in theatres, flea markets-open air, living quarters in conjunction with a commercial use, to be occupied by the owner or operator of the business or an employee, adult entertainment establishment, hospitals and nursing homes.

V. OPEN SPACE

Tract "F" Recreation/Retention/Open Space 19.81 Acres

Use of area is limited to the residents of Etor Properties and their guests.

20% of Tract "E" (17.08 Acres) 3.42 Acres

Use of area is limited to the residents of Tract "E".

TOTAL OPEN SPACE 23.23 Acres

VI. BUILDING RESTRICTIONS

Residential: Building Height: 35 Feet Maximum
Number of Stories: One, Two and Three
Limited to two story first tier adjacent to Tract "F".

BUILDING SETBACKS

Lake Mary Blvd.:		50 Feet
Sun Drive:	Commercial:	25 Feet
	Office:	25 Feet
	Residential:	25 Feet - Single Story
		35 Feet - Two Story
		45 Feet - Three Story
Greenwood Blvd.:	Commercial:	25 Feet
	Residential:	25 Feet - Single Story
		35 Feet - Two Story
		45 Feet - Three Story
Commercial Use:	Front:	25 Feet
	Side:	0 Feet
	Rear:	10 Feet
Office Use:	Front:	25 Feet
	Side:	0 Feet
	Rear:	10 Feet
Residential:	Front:	25, 35 and 45 Feet
	Side:	25, 35 and 45 Feet
	Rear:	0 Feet Adjacent to Tract "F"

BUFFERS

Lake Mary Blvd.: 15 Ft.

Greenwood Blvd.: 5 Ft. and 15 Ft.
(Lake Mary Blvd. Gateway Corridor)

South Property Line: 100 Ft. Natural Buffer

Office Use: 10 Ft. Abutting Residential

A 6 foot high masonry block wall will be installed on the north side of the 100 foot natural buffer as shown on the Final Master Plan. Except as precluded by environmentally sensitive areas.

VII. VEHICULAR AND PEDESTRIAN TRAFFIC

- a. The Developer shall dedicate a 105 ft. right-of-way for the extension of Sun Drive from Lake Mary Boulevard to Greenwood Boulevard.
- b. The Developer shall dedicate an additional 52 ft. of right-of-way for Lake Mary Boulevard for a total 1/2 right-of-way width of 92 feet.
- c. The Developer shall dedicate a cross access easement through Tract D from Sun Drive eastward to Greenwood Boulevard.
- d.
 1. At the intersection of Lake Mary Boulevard and Greenwood Boulevard, construct a second northbound and southbound through lane on Greenwood Boulevard, a second westbound left turn lane on Lake Mary Boulevard and a continuous right turn lane on Lake Mary Boulevard from the northwest property corner to Greenwood Boulevard.
 2. At the intersection of Lake Mary Boulevard and Sun Drive, install a four-phase traffic signal.
 3. At the intersection of Greenwood Boulevard and Sun Drive, install a two-phase traffic signal.
 4. Modification to signal commitments 2. and 3. above to provide 8 phase controllers. If required by Seminole County, will be done at County's expense.
 5. All roadway improvement commitments above will be completed prior to first C.O.
- e. Five foot wide pedestrian sidewalks will be provided along Sun Drive through the development as per the typical section shown on the Final Master Plan.

VIII. RECREATION

Recreational facilities, both active and passive, are to be included within the development. All recreational facilities within the residential development (Tract "E"), will be installed by the developer of said tract. Specific recreational facilities to be installed are swimming pool, tennis court, and jogging trail. These facilities will be completed prior to issuance of a C.O. for the 150th dwelling unit in the residential section.

IX. PUBLIC FACILITIES

1. Potable Water:

- a. There is an existing 12-inch water main along the west side of Greenwood Blvd. and a stubbed 12-inch water main along the south side of Lake Mary Blvd. at the northwest corner of the project and the northeast corner of the project. A proposed 12-inch water main will be constructed along the westerly and southerly side of Sun Drive from Lake Mary Blvd. to Greenwood Blvd. Water distribution by Seminole County. The commercial tracts, office tracts and residential tract shall be master metered for water service. Master meters will be provided for each final platted lot or tract.

2. Wastewater Collection:

- a. There is an existing 12-inch gravity sanitary sewer main along Greenwood Blvd. within the Florida Power Corporation easement. The tie-in point for the project will be at the southeast corner of the site. Wastewater treatment by Seminole County.

3. Stormwater Management:

- a. The stormwater collection and retention system will be designed in accordance with all Seminole County and St. Johns River Water Management District criteria. A 25 year/24 hour storm event will be the basis of design for storm routing and retention. The proposed drainage facilities, easements, and retention pond for the Lake Mary Blvd. improvements located within the project will be relocated as per the Joint Use Agreement between Etor Properties Ltd. and Seminole County dated March 7, 1991. Maintenance for the stormwater retention facilities will be funded by an owners association with Seminole County participating to the extent of their regular quarterly maintenance.

4. Re-Use Water System:

- a. This project will be required to connect to the County's re-use water system for irrigation when available at the project site.

X. OTHER COMMITMENTS

- A. A voluntary payment of \$350.00 per dwelling unit at the time of "Certificate of Occupancy", to the public school impact fund.

- B. The southerly 100 feet of the property will be maintained as a natural buffer (including the triangular shape extending into the Brandermill Subdivision).
- C. The adjacent 300 feet lying north of the 100 foot wide buffer will be reserved for recreation, open space, and stormwater retention and will be limited to the Etor property residents and their guests.
- D. A six-foot high masonry wall to be constructed east and west along the northerly boundary of the 100 foot buffer and south along the westerly line of the power line easement to the south property line. No wall or other type of fencing to be done in wetland areas.
- E. The first row of all multifamily units constructed adjacent to Tract "F" shall not exceed two (2) stories. The remainder may be three (3) stories but no structures may exceed 35 feet in height.
- F. All access to the Etor property will be from Lake Mary Boulevard or Greenwood Boulevard.
- G. This entire project shall comply with the lighting, landscaping, and signage standards contained in the Lake Mary Boulevard Gateway Corridor Ordinance. Lake Mary Boulevard Gateway Corridor Ordinance setbacks apply only to Lake Mary Boulevard.
- H. Trash receptacles must be contained in enclosed areas, either wood or masonry.
- I. The buffer area (including the triangular shaped area) shall be conveyed to the Brandermill and Reserve Homeowners Association. The conveyance should take place upon completion of construction of the fences and walls referred to in paragraph D.
- J. Tract "F" will count toward density calculations, open space, landscaping, and setbacks for the development of the remainder of the property.
- K. If any land use changes are contemplated from the current zoning classification within the next two years, the Brandermill and Reserve Homeowners Associations shall be notified in writing at least two (2) weeks prior to any public hearings.
- L. Any commitments with the Brandermill and Reserve Homeowners Association letter dated September 11, 1990, not outlined in the above paragraphs, shall be complied with.

XI. CODES AND ORDINANCES

Unless specifically addressed in this agreement, all development shall fully comply with all codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of issuance of any permit.

XII. DEVELOPER DEFINITION

1. When the term "Developer" is used herein, the same shall apply to the specific developer as noted below in the signature block of this agreement. All obligations, liabilities, and responsibilities shall be assumed by any and all successors.

For Etor Properties, Ltd.:

Witness: _____

Witness: _____

For Seminole County:

Witness: _____

Chairman of Seminole County
Board of County Commissioners

Witness: _____

ETOR PROPERTIES

Planned Unit Development

ADDENDUM #1

ADDENDUM APPROVED ON JUNE 11, 2002

The Etor Properties Planned Unit Development Commitment Agreement dated July 30, 1991, and amended on December 11, 2001, is hereby amended as follows:

II. STATEMENT OF BASIC FACTS

Commercial Area	31.99 acres
Office Area	12.41 acres
Residential Area	17.08 acres
Mixed Office and Commercial Area	2.59 acres
Retention, Recreation & Open Space	19.81 acres
Right-of-Way	6.32 acres
Total Area	90.20 acres
Residential Density	17.6 D.U.A.

III. TRACT SUMMARY

<u>TRACT DESIGNATION</u>	<u>LAND USE</u>	<u>AREA</u>	<u>% OF SITE</u>
A	Commercial	2.08 acres	2%
B	Office, Commercial*	2.59 acres	6%
C	Office	12.41 acres	11%
D	Commercial	29.91 acres	33%
E	Residential-300 units	17.08 acres	19%
F	Recreation, Open Space, Retention	19.81 acres	22%
R.O.W.	Public Street	<u>6.32 acres</u>	<u>7%</u>
	TOTAL	90.2 acres	100%

*The Owner shall provide a six-foot high fence along the south property line which shall be constructed of split-face block. The Owner shall also provide a row of canopy trees along the south property line.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 04488 PG 0928
FILE NUM 2002923045
RECORDED 08/12/2002 09:18:37 AM
RECORDING FEES 15.00
INDEXED BY S Coatney

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY Eva Roach
DEPUTY CLERK

Approved and Accepted:

By: ETOR Properties LLC

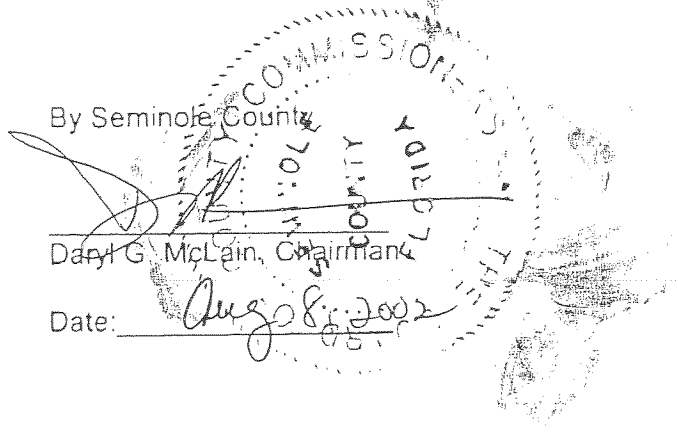
Jeno F. Paulucci
Jeno F. Paulucci, Manager

Date: 7/22/02

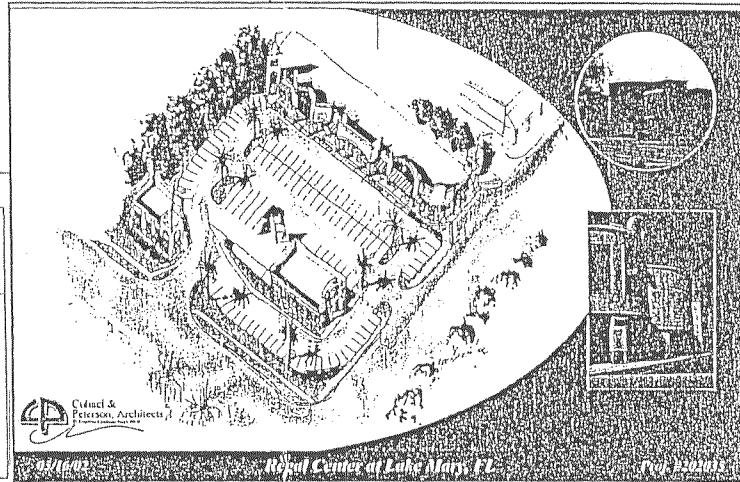
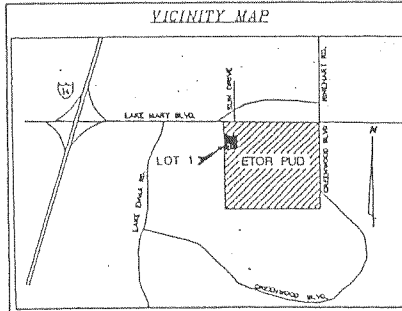
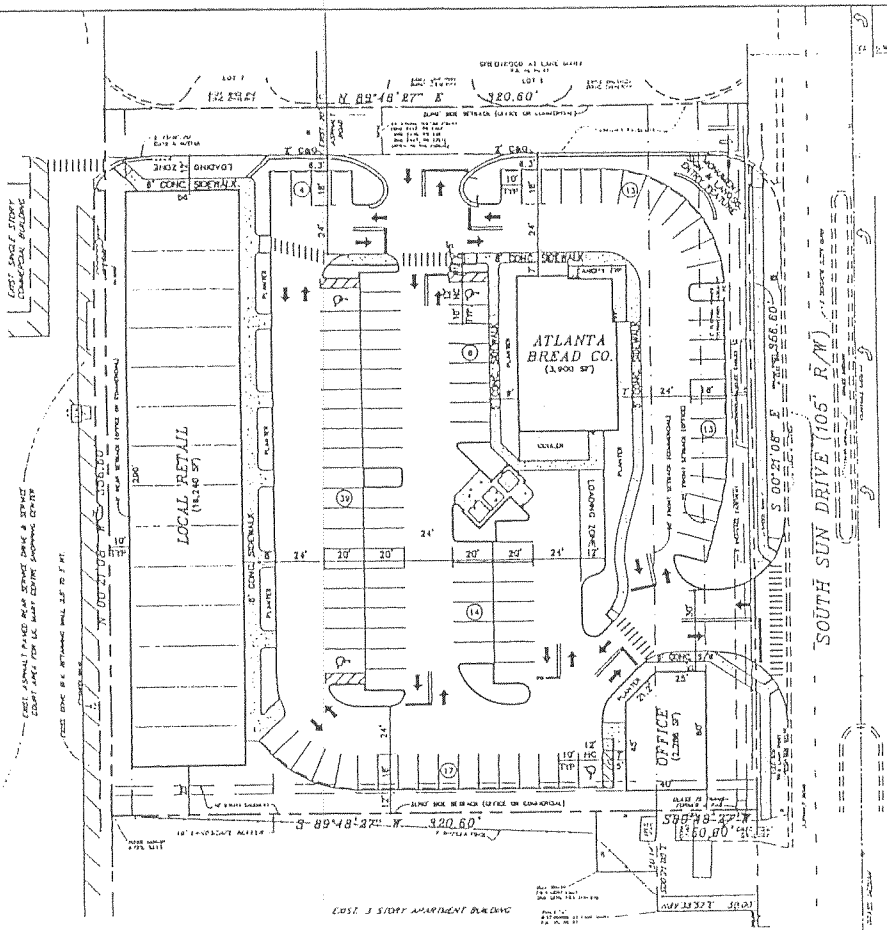
By Seminole County

Daryl G. McLain
Daryl G. McLain, Chairman

Date: Aug 8, 2002



ABBREVIATIONS:
 1. 1" = 10' (PLAN)
 2. 1" = 10' (SECTION)
 3. 1" = 10' (ELEVATION)
 4. 1" = 10' (DETAIL)
 5. 1" = 10' (SECTION)
 6. 1" = 10' (ELEVATION)
 7. 1" = 10' (DETAIL)
 8. 1" = 10' (SECTION)
 9. 1" = 10' (ELEVATION)
 10. 1" = 10' (DETAIL)



SITE DATA

- STATEMENT OF INTENT:
 APPLICANT RESPECTFULLY REQUESTS APPROVAL OF A MINOR AMENDMENT TO THE ETOR PROPERTY PUD DEVELOPMENT ORDER NO. 2004-03, DATED MARCH 1, 1991, AND AS AMENDED ON DECEMBER 11, 1991. THE AMENDMENT WOULD MODIFY THE ALLOWABLE LAND USE FOR LOT 1, GREENWOOD AT LAKE MARY, FROM "OFFICE, COMMERCIAL, AND RESIDENTIAL" TO "OFFICE AND COMMERCIAL". IF APPROVED, APPLICANT INTENDS TO CONSTRUCT THREE (3) BUILDINGS ON LOT 1. THE BUILDINGS WILL CONTAIN MULTIPLE COMMERCIAL RETAIL SHOPS, A DELI RESTAURANT, AND PROFESSIONAL OFFICE SPACE.
- EXISTING ZONING: PUD (ETOR PROPERTY PUD)
- SITE AREA: 1.41 ACRES
- BUILDING AREAS:
 LOCAL RETAIL BUILDING 18,400 SF
 ATLANTA BREAD COMPANY 1,900 SF
 OFFICE BUILDING 1,200 SF
 BUILDING AREA 21,500 SF
- PARKING:
 1. NUMBER OF SPACES REQUIRED BY SEMINOLE COUNTY, 18,318 SF RETAIL AND OFFICE @ 1 SP/ACROSS SF 14 SPACES
 ATLANTA BREAD COMPANY 113 SPACES @ 1 SP/ACROSS SPACES 113 SPACES
 TOTAL NUMBER OF SPACES REQUIRED 127 SPACES
 2. NUMBER OF SPACES PROVIDED, IF WIDE TYPICAL SPACES 127 SPACES
 IF WIDE BAY/VEHICLE SPACES 127 SPACES
 TOTAL NUMBER OF SPACES PROVIDED 127 SPACES
- LAND USE:
 USE AREA % OF SITE
 A. BUILDING AREA 6.31 ACRES 44.7%
 B. PARKING, SIDEWALKS, LOADING, ETC. 11.14 ACRES 78.7%
 C. SUBTOTAL IMPERVIOUS AREA 17.45 ACRES
 D. BUFFERS, LANDSCAPE ISLANDS & OTHER PREVIOUS OPEN SPACE 2.11 ACRES 15.0%
 E. TOTALS 13.56 ACRES 95.7%
 7. OPEN SPACE:
 USE AREA % OF SITE
 A. OPEN SPACE REQUIRED 8.77 ACRES 61.9%
 B. OPEN SPACE PROVIDED ON SITE 8.31 ACRES 58.9%
 C. OPEN SPACE CREDIT FROM OFF SITE TRACT "F" 0.11 ACRES 0.8%
 D. TOTAL OPEN SPACE PROVIDED INCLUDING CREDIT 8.42 ACRES 59.7%
- UTILITIES:
 A. WATER & SEWER SEMINOLE COUNTY
 B. UTILITIES SEE COVER SHEET
 C. ON-SITE WATER MAINS, SERVICES, SEWER MAINS, LATERALS, ETC. SHALL BE PRIVATELY OWNED AND MAINTAINED.
- STORMWATER MANAGEMENT:
 STORMWATER MANAGEMENT FOR THIS PROJECT IS PROVIDED OFF SITE WITHIN PREVIOUSLY CONSTRUCTED "WATER" TREATMENT FACILITIES LOCATED ON TRACT "F", AS PREVIOUSLY PERMITTED BY SEMINOLE COUNTY AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.

DESIGNED FOR:
 SUNCOR PROPERTIES, INC.
 160 INTERNATIONAL PARKWAY
 HEATHROW, FLORIDA 32746
 (407) 829-3400

ETOR PUD MINOR AMENDMENT EXHIBIT
REGAL CENTRE
 LOT 1, GREENWOOD AT LK. MARY
 SEMINOLE COUNTY, FLORIDA

DESIGNER:
 Design Service Group, Inc.
 3610 11TH GRANT STREET
 LON 30, FLORIDA 32750
 Phone: (407) 331-3275 Fax: (407) 360-0478 E-mail: dsgr@designservicegroup.com

DESIGN: RWH DSG
 PROJECT NO.: 01016H
 DATE: NOV., 2001
 SCALE: 1" = 30'
 SHEET: 1 OF 1